



United States Mission to the OSCE

Statement on Freedom of Thought, Conscience, Religion or Belief

As delivered by Dorothy Taft, Member, U.S. Delegation
to the Human Dimension Implementation Meeting, Warsaw
October 6, 2004

Mr. Chairman, the United States is deeply committed to guaranteeing the freedom of thought, conscience, religion or belief. We were pleased that the Maastricht Ministerial built upon the considerable body of OSCE commitments by recognizing the importance of facilitating individual and communal religious freedom through "transparent and non-discriminatory laws, regulations, practices and policies." However, we note with concern that this fundamental right is inconsistently applied, and often violated, by many States across the OSCE region.

The U.S. regards as a success the Brussels OSCE Conference on Racism, Xenophobia and Discrimination, which discussed facilitating freedom of religion or belief through non-discriminatory laws, regulations, policies and procedures. The conference also included a side event on promoting tolerance toward Muslims. In order to learn more about the activities of the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief, we hope that government representatives and NGOs will attend the Panel's side event after this session. The United States would also welcome the convening of a Supplementary Human Dimension Meeting in Central Asia to discuss the nexus of protecting religious freedom while combating terrorism.

The United States applauds the efforts by Turkey to bring its legal system into conformity with OSCE commitments. While reforms now allow non-Muslim religious communities to build churches and buy property, authorities have actively sought to close meetings outside "official" locations under the pretext of zoning laws. We urge the Government of Turkey to explicitly allow religious meetings in rented facilities or private homes. Turkey's system of regulating religious groups remains problematic, as the government's strict control of Islamic teaching and practice, its ban on headscarves in public institutions, and its failure to reach an agreement on the re-opening of the Halki Seminary all contravene Turkey's OSCE commitments. We also urge Turkey to adopt a new law allowing minority foundations to reclaim properties expropriated by the state. We hope to see the government continue its good work and to continue to open the religious liberty sphere in Turkey by addressing these issues.

The United States remains greatly concerned by continuous violations of religious liberty by the Government of Uzbekistan. Approximately 5,500 individuals remain jailed in Uzbekistan on charges of religious extremism, despite repeated calls by the international community and NGOs for their release. Even before the bombings this year, which the United States unconditionally condemns, there have been reports of observant Muslims being arrested on falsified evidence as alleged members of Hizb ut-Tahrir. Limitations on religious freedom also include bans on proselytizing or unauthorized teaching of religion and burdensome registration requirements that prevent legitimate activity. The United States is also

disappointed that neither the Uzbeks nor the ODIHR has followed up on the July 2003 Panel of Experts on Freedom of Religion or Belief's recommendations concerning the Uzbek religion law. Considering the recent bombings, we believe an ODIHR-sponsored meeting to discuss implementing the recommendations is needed now more than ever, for we fear the government's policy is leading to that which the Uzbek government is trying to avoid: support for violent extremism.

In Turkmenistan, we note the relaxation of the registration process for religious communities, the removal of criminal penalties for unregistered religious groups, the recent registration of four religious groups, the release of some conscientious objectors, and the significant reduction in harassment of religious groups. The United States encourages Turkmen authorities to register all applicant groups and to respect the rights of all believers to profess and practice their faith. My delegation is concerned by recent police raids of registered religious communities. We urge the Government to communicate the new policies to all local security officials to ensure that they are followed. Lastly, we reiterate Congress' call for the unconditional release of the former Grand Mufti, Nasrullah ibn Ibadullah, as well as Jehovah's Witnesses Mansur Masharipov and Vepa Tuvakov.

The situation for religious freedom in Azerbaijan has deteriorated since the 2003 HDIM. Not only have authorities forcibly seized the Juma Mosque, they also imposed new leadership and prevented the peaceful community from worshiping elsewhere. We urge the Azerbaijani Government to cease harassment of mosque leaders and return full control of the mosque to the community. In Georgia, we welcome the arrest of mob leaders who had instigated violence against religious minorities; we urge the government to vigorously prosecute all individuals involved in such assaults. We strongly encourage Tbilisi to amend the civil code to ensure all religious groups can obtain legal entity status and build new worship facilities. In Armenia, we welcome the new alternative military service law that allows conscientious objectors to fulfill their national service, but urge the government to fulfill its pledge to release all remaining conscientious objectors. We also encourage the government to permit Jehovah's Witnesses to be recognized and registered as a religious community.

Kazakhstan has earned a positive reputation on religious liberty and tolerance. Nevertheless, the draft law and amendments on combating extremist activity could be misused against unpopular religious groups. Current Kazakh law allows for prosecuting criminal acts, so we see no need for these new provisions. In fact, the United States recommends the removal of Article 375 of the Administrative Code, which requires the registration of religious groups. Since its promulgation, we have received consistent reports of unregistered groups being penalized for legitimate activities through civil and criminal sanctions.

In Russia, the international community was disappointed by a court decision banning the Jehovah's Witnesses in Moscow. The United States is concerned with the Moscow ban, as well as the implicit endorsement of intolerance it sends to local officials elsewhere in Russia. Some religious faiths continue to be harassed by local officials, without appropriate action by the federal government to ensure the enjoyment of religious freedom as stipulated by both OSCE standards and the Russian Constitution.

We also renew concern regarding Belarus, as the end of the registration period under the problematic 2002 religion law ends in November. As a member of OSCE, the government of Belarus is bound by an OSCE commitment to ensure that groups may operate freely without registration, even though Belarus law does not yet recognize this right.

The United States also notes disturbing developments in Bulgaria. The problematic 2002 Law on Religions was used in July 2004 by Bulgarian authorities to justify the seizure of properties used by the alternative Bulgarian Orthodox synod. Unfortunately, the government abandoned neutrality and wrongly attempted to grant discriminatory favor to the Synod of Patriarch Maxim. Bulgarian authorities should immediately reinstate to the alternative synod full control of the seized properties until the courts settle the dispute.

Grave problems with freedom of thought, conscience, religion or belief exist in many OSCE participating States -- but not only those countries located to the "East of Vienna." The United States wishes to highlight concerns about the ban on religious apparel in French public schools. We believe the ban violates OSCE commitments and is counterproductive, as it will only further marginalize the very people the government wishes to integrate. Additionally, efforts by several German *Laender* to prohibit the wearing of the Muslim headscarves by teachers, is discriminatory. The ability to express one's religious beliefs through word or deed is a fundamental right under OSCE commitments, and must be protected.